

CONTACT FOR MEDIA: Ronda Sloan, 502-564-6098 (office) or 502-330-1804 (cell)

IMMEDIATE RELEASE: April 2, 2003

Supreme Court upholds Kentucky's "any willing provider" statute

FRANKFORT, Ky. - In a unanimous decision announced today, the Supreme Court of the United States has upheld Kentucky's "any willing provider" statute.

The case, Kentucky Association of Health Plans, Inc. et al v. Janie A. Miller, Commissioner, Kentucky Department of Insurance, was argued on January 14. At issue was a Kentucky law requiring a health insurer to accept into its network any provider within the geographical coverage area of the health benefit plan who is willing to meet the terms and conditions for participation established by the health insurer.

Also considered was the Kentucky statute stating that any health benefit plan offering chiropractic benefits must permit any licensed chiropractor who agrees to abide by the terms of the health insurer to serve as a provider to any person in the plan.

"Obviously, we are very pleased with the outcome," said Insurance Commissioner Miller. "We believe this is an important consumer protection. Not only does it allow patients to maintain relationships with their doctors but it increases access to providers for those in rural Kentucky."

Miller said, "This was also validation of the state's right to regulate the business of insurance."

The opinion, written by Justice Antonin Scalia, is available at <http://supct.law.cornell.edu/supct/html/00-1471.ZS.html>